

### **REMARKS**

Claims 1, 4-6, 8-13 and 15 were presented for examination and all claims were rejected. In the present amendment, claims 1, 6, 8-13 and 15 have been amended. No new matter has been introduced. Upon entry of the present amendment, claims 1, 6, 8-11, 13 and 15 are currently pending in this application, of which claims 1, 6, 8-11, 13 and 15 are independent. Applicants submit that claims 1, 4-6, 8-13 and 15 are in condition for allowance.

The following comments address all stated grounds of rejection. Applicants traverse all rejections and urge the Examiner to pass the claims to allowance in view of the remarks set forth below.

### **SPECIFICATION OBJECTIONS**

The Examiner objected to the specification as failing to provide proper antecedent basis for the term “efficiently”. Applicants submit that antecedent basis for this term is found in at least the “Brief Summary of the Invention” section of the disclosure. The first sentence of this section recites “The present invention efficiently parses HTML content (or other markup or content language such as DHTML, Java, etc.) by identifying data files (e.g. pages) that contain some unchanging (static) content, but still vary to some degree with each new version.” Accordingly, Applicants request the Examiner to withdraw this objection.

The Examiner further objected to the specification as failing to provide support for the term “computer-readable-medium” as recited in claim 15. Applicants hereby amend the claim to remove the term “computer-readable-medium”, thereby mooted the objection. Accordingly, Applicants request the Examiner to withdraw this objection.

**CLAIM REJECTIONS UNDER 35 U.S.C. §112, SECOND PARAGRAPH****I. Claims 1, 4-6, 8-13 and 15 Rejected Under 35 U.S.C. §112, Second Paragraph**

Claims 1, 4-6, 8-13 and 15 are rejected under 35 U.S.C. §112, Second Paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner contends that these claims are rendered indefinite because there is no support for the term “efficiently” in the disclosure. As discussed above, support for this term is found in at least the “Brief Summary of the Invention” section of the disclosure. Accordingly, Applicants request the Examiner to withdraw the rejection of claims 1, 4-6, 8-13 and 15 under 35 U.S.C. §112, second paragraph.

**CLAIM REJECTIONS UNDER 35 U.S.C. §103****II. Claims 1, 4-6, 8-12 and 15 Rejected Under 35 U.S.C. §103**

Claims 1, 4-6, 8-12 and 15 are rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent Publication No. 2003/0074634 A1 to Emmelmann (“Emmelmann”) in view of U.S. Patent Publication No. 2006/0242145 A1 to Krishnamurthy et al. (“Krishnamurthy”). Claim 13 is rejected under 35 U.S.C. §103(a) as unpatentable over Emmelmann in view of Krishnamurthy, further in view of U.S. Patent Publication No. 2004/0199575 A1 to Geller (“Geller”). Applicants respectfully traverse the rejections to the extent they are maintained over the claims as amended, and submit that Emmelmann, Krishnamurthy and Geller, alone or in combination, fail to teach or suggest each and every element of claims 1, 4-6, 8-13 and 15.

**A. Independent Claims 1, 6, 8-11 and 15 Patentable over Emmelmann and Krishnamurthy**

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. Independent claims 1, 6, 8-11 and 15, as amended, recite identifying non-matching or dynamic content in the received data file or HTML page, and

parsing only the non-matching or dynamic content of the received data file or HTML page to form at least one subtree. A subtree comprises nodes and tokens representing content of a data file or HTML page. Applicants submit that Emmelmann and Krishnamurthy, alone or in combination, fail to teach or suggest each and every element recited in claims 1, 6, 8-11 and 15.

The combination of Emmelmann and Krishnamurthy does not teach or suggest identifying non-matching or dynamic content and parsing only the non-matching or dynamic content to form at least one subtree. In the Office Action, the Examiner admits that Emmelmann does not teach this feature and cites Krishnamurthy for this purpose. However, as with Emmelmann, Krishnamurthy fails to teach or suggest this feature. Instead of identifying non-matching or dynamic content and parsing only the non-matching or dynamic content to form at least one subtree, Krishnamurthy does the opposite. Krishnamurthy parses the whole webpage and then identifies the differences (see, figure 5 and paragraph [0081]). By parsing the whole page, Krishnamurthy is teaching away from the present invention. Furthermore, Krishnamurthy fails to form any subtree with the non-matching content, and instead generates a webpage clip. The webpage clip of Krishnamurthy is a merely portion of a webpage (see, figure 5 and paragraph [0006]) as distinguished from a subtree representation of nodes and tokens. Therefore, Krishnamurthy fails to bridge the deficiency of Emmelmann as applied by the Examiner.

Since Emmelmann and Krishnamurthy each fail to teach or suggest the above features of the claimed invention, Applicants submit that the combination of Emmelmann and Krishnamurthy also fails to teach or suggest these features. Accordingly, Applicants submit that independent claims 1, 6, 8-11 and 15 are patentable and in condition for allowance. Claims 4 and 5 depend on and incorporate all the patentable subject matter of independent claim 1, and claim 12 depends on and incorporate all the patentable subject matter of independent claim 11.

Thus, Applicants submit that dependent claims 4, 5 and 12 are also patentable and in condition for allowance. Therefore, Applicants respectfully urge the Examiner to withdraw the rejection of claims 1, 4-6, 8-12 and 15 under 35 U.S.C. §103.

**B. Independent Claim 13 Patentable over Emmelmann, Krishnamurthy and Geller**

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. Independent claim 13, as amended, recites identifying non-matching content, parsing only the non-matching content identified and forming subtrees comprising nodes and tokens representing the non-matching content. Applicants submit that Emmelmann, Krishnamurthy and Geller, alone or in combination, fail to teach or suggest each and every element recited in claim 13.

As discussed above in connection with independent claims 1, 6, 8-11 and 15, the combination of Emmelmann and Krishnamurthy does not teach or suggest identifying non-matching content and parsing only the non-matching content identified to form a subtree. As with Emmelmann and Krishnamurthy, Gellar fails to teach or suggest these features. In the Office Action, the Examiner cites Geller for a different purpose. The virtual streaming multimedia system of Geller interacts with merchant web servers to provide e-commerce functionality on a computer. Geller does not identify non-matching content, and instead receives updates directly from these web servers. Consequently, Geller also fails to contemplate parsing only the identified non-matching content to form a subtree.

Since Geller fails to bridge the common deficiencies of Emmelmann and Krishnamurthy, Applicants submit that the combination of Emmelmann, Krishnamurthy and Geller also fails to teach or suggest each and every feature of the claimed invention. Accordingly, Applicants

submit that independent claim 13 is patentable and in condition for allowance. Therefore, Applicants respectfully urge the Examiner to withdraw the rejection of claim 13 under 35 U.S.C. §103.

**CONCLUSION**

In light of the aforementioned amendments and arguments, Applicants contend that each of the Examiners rejections has been adequately addressed and all of the pending claims are in condition for allowance. Accordingly, Applicants respectfully request reconsideration, withdrawal of all grounds of rejection, and allowance of all of the pending claims.

Should the Examiner feel that a telephone conference with Applicants' attorney would expedite prosecution of this application, the Examiner is urged to contact the Applicants' attorney at the telephone number identified below.

Respectfully submitted,

CHOATE, HALL & STEWART, LLP

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*/Christopher J. McKenna/*  
Christopher J. McKenna  
Registration No. 53,302  
Attorney for Applicant

Choate, Hall & Stewart, LLP  
Two International Place  
Boston, MA 02110  
(617) 248-5000